

**IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF VIRGINIA
ABINGDON DIVISION
CRIMINAL MINUTES – SENTENCING HEARING**

Case No.: 1:20CR00015-001

Date: 7/21/2021

Defendant: Cole Carini / Custody

Counsel: John T. Stanford, AFD / Appointed

PRESENT:	JUDGE:	James P. Jones, USDJ	TIME IN COURT: 10:36-12:25 (1 hr, 49 minutes)
	Deputy Clerk:	Lottie Lunsford	
	Court Reporter:	Donna Prather, OCR	
	U. S. Attorney:	Whit Pierce, Zachary T. Lee	
	USPO:	Sumer Taylor Sargent	
	Case Agent:	Micah Childers	
	Interpreter:	N/A	

LIST OF WITNESSES

GOVERNMENT:

1. Micah Childers
2. Dr. Jason Barrow
3. Chad Potter

DEFENDANT:

- 1.
- 2.
- 3.

PROCEEDINGS:

No Objections to Presentence Report.

Government presents evidence.

Court accepts Plea Agreement.

Government seeks the statutory maximum sentence. Deft objects to a sentence above the guideline range.

Allocutions.

The Court imposes a sentence above the guideline range as stated.

SENTENCE IMPOSED AS FOLLOWS:

CBOP: Count 2 - Eighty-four (84) months

SR: Three (3) years - comply w/Standard, Mandatory & Special Conditions.

☐ Mandatory drug testing suspended.

SA: \$100.00 due immediately.

FINE: Waived

REST: N/A

Court recommends as follows:

That Defendant receive residential drug treatment and mental health treatment while imprisoned.

That Defendant be designated to lowest security level facility for which he qualifies closest to his home in order to facilitate family visits.

SPECIAL CONDITIONS OF SUPERVISION:

Must pay any monetary penalty that is imposed by this judgment in the manner directed by the court;

Must reside in a residence free of firearms, ammunition, destructive devices, and dangerous weapons;

Must be prohibited from engaging in any occupation, business, or profession requiring the handling of explosive materials

Must participate in a program of mental health treatment as approved by the probation officer, until such time as the defendant has satisfied all requirements of the program; and

Must participate in a program of substance abuse testing and treatment as approved by the probation officer, until such time as the defendant has satisfied all requirements of the program.

Must submit his person, property, house, residence, vehicle, papers, [computers as defined in 18 U.S.C. Section 1030(e)(1), other electronic communications or data storage devices or media], or office, to a search conducted by a United States probation officer. Failure to submit to a search may be grounds for revocation of release. The defendant shall warn any other occupants that the premises may be subject to searches pursuant to this condition. An officer may conduct a search pursuant to this condition only when reasonable suspicion exists that the defendant has violated a condition of his supervision and that the areas to be searched contain evidence of this violation.

PAYMENT SCHEDULE:

A lump sum payment of \$100.00 is due immediately,

ADDITIONAL RULINGS:

Count One (1) is dismissed pursuant to the plea agreement filed in this case.

Defendant advised of right to appeal.

Defendant remanded to custody.